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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/985,924	11/06/2001	Masahiro Shiotani	086142-0493	4564
22428	7590 06/16/2004		EXAMINER	
FOLEY AND LARDNER			RIVERA, WILLIAM ARAUZ	
SUITE 500 3000 K STRE	ET NW		ART UNIT	PAPER NUMBER
WASHINGTON, DC 20007			3654	
			DATE MAILED: 06/16/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No.   Applicant(s)   Odn86,324   SHIOTAN ET AL   Examiner   William A Rivera   3654   SHIOTAN ET AL   Examiner   William A Rivera   3654   SHIOTAN ET AL   Examiner   William A Rivera   3654   SHIOTAN ET AL   SH	- 1	_							
## Examiner   Art Unit   3654   3654   3654   3654   3654   3654   3654   3654   3654   3654   3654   3654   3654   3654   3655		•	Application No.	Applicant(s)					
Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ③ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  I the period for reply specified shore is less than thiny (30) days, a reply within the statistical minimum of thiny (20) days will be considered timely.  If the period for reply specified shore, the maximum statutory period will reply and will explice the statistical may be considered timely.  I the period for reply specified shore, the maximum statutory period will reply and will replied to 100 (MoNTHS from the matering date of this communication.  I the period for reply specified shore, the maximum statutory period will replied any and will replied to 100 (MoNTHS from the matering date of this communication, and the period of the communication.  I the period for reply specified will be considered the replied of the communication, and the period of the communication.  I the period for reply specified will be considered the replied of the communication, and the period of the communication.  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any search of the communication.  Status  I) See Responsive to communication(s) filled on 28 July 2003.  2a) This action is FINAL.  2b) This action is finAl.  2b) This action is finAl.  2c) This action is FINAL.  2b) This action is finAl.  2c) This action is produced with the practice under Exparte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1-2 is/are pending in the application.  4) Claim(s) 1-2 is/are pending in the application.  4) Claim(s) 1-2 is/are pending in the application.  4) Claim(s) 1-2 is/are allowed.  5) Claim(s) 1-2 is/are allowed.  6) Claim(s) 1-3 is/are allowed.  6) Claim(s) 1-3 is/are allowed.  6) Claim(s) 1-3 is/are allowed.  6) Claim(s) 1-4 is/are allowed.  6) Claim(s) 1-4 is/are allowed.  6) Claim(s) 1	7		09/985,924	SHIOTANI ET AL	<b>.</b>				
— The MALING DATE of this communication appears on the cover sheet with the correspondence address—Period for Repty  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ③ MONTH(S) FROM THE MALING DATE OF THIS COMMUNICATION.  Extensions of time may be available under the provisions of JCTR 1.13(d). In no event, however, may a raply be timely filed that SX(d) MONTHS from the maling date of this bornamination of JCTR 1.13(d). In no event, however, may a raply be timely filed that SX(d) MONTHS from the maling date of the bornamination.  I NO period for raply is specified above. The maximum apply within the statutory minimum of thinty (20) days will be considered timely.  I NO period for raply is specified above. The maximum apply within the statutory minimum of thinty (20) days will be considered timely.  I NO period for raply is specified above. The maximum apply within the statutory minimum of thinty (20) days will be considered timely.  I NO period for raply is specified above. The maximum apply within the statutory minimum of thinty (20) days will be considered timely.  I NO period for raply is specified above. The maximum apply within the statutory minimum of thinty (20) days will be considered timely.  I NO period for raply is specified above. The maximum apply within the statutory minimum of thinty (20) days will be considered timely.  I NO period for raply is specified above. The maximum apply within the statutory minimum of thinty (20) days will be considered timely.  I NO period for raply is specified of this communication.  The Replacement of the maximum application.  Application is application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Exparte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  Application of the above claim(s) is a safe withdrawn from consideration.  Claim(s) 1-2 safe allowed.  Claim(s) 1-2 safe allowed.  Claim(s) 2 is a safe above.  Application application is objected to by the Exam	1	Office Action Summary	Examiner	Art Unit					
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions of time may be available under the provisions of 37 °C78 1.35(s), is no event, however, may a reply be timply field  Extensions of time may be available under the provisions of 37 °C78 1.35(s), is no event, however, may a reply be timply field  Extensions of time may be available under the provisions of 37 °C78 1.35(s), is no event, however, may a reply be timply field  Extensions of time may be available under the provisions of 37 °C78 1.35(s), in or event, however, may a reply be timply field  Extension of time to provisions of the provision of the provi				1	LUL/				
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Examinates of time may be available under the province of 3° CFR 1.35(d). In an event, however, may a reply be timely filed  Examinates of time may be available under the province of 3° CFR 1.35(d). In an event, however, may a reply be timely filed  If the period for reply specified above is less but hithy (39) days, a reply whilin the statutory minimum of thinty (29) days will be comidered timely.  If the period for reply specified above is less but hithy (39) days, a reply whilin the statutory minimum of thinty (29) days will be comidered timely.  Final period for reply specified above is less but hithy (39) days, a reply whilin the statutory minimum of the replacement of the communication.  Final period of the set of extended period for reply whilin the statutory minimum of the communication.  Final period of the set of extended period for reply whilin the statutory minimum of the communication.  Final period period for reply specified above is the set of the communication.  All period for the set of extended period for reply whilin the set of extended period for reply be extended period for reply be extended for reply period for reply be extended for the communication.  Status  1) Responsive to communication (s) filed on 2 8 July 2003.  Claim(s) 1.9 Silvare objected to by the Examiner.  10 Claim(s) 2 silvare objected for reply decided for reply decided for reply extended for re	Poriod		ears on the cover sheet with th	e correspondence ac	ddress				
1) Responsive to communication(s) filed on 28 July 2003.  2a	A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any								
2a)  This action is FINAL. 2b)  This action is non-final.  3  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)  Claim(s)  1-8 is/are pending in the application. 4a) Of the above claim(s)  is/are withdrawn from consideration. 5)  Claim(s)  is/are allowed. 6)  Claim(s)  1-8 is/are rejected. 7)  Claim(s)  2 is/are objected to. 8)  Claim(s)  1-8 is/are objected to many consideration.  Application Papers  9)  The specification is objected to by the Examiner. 10)  The drawing(s) filed on  is/are: allowed. Application Papers  9)  The specification is objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some c) None of:	Status								
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Al) Claim(s) 1-8 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5b) Claim(s) is/are allowed. 6c) Claim(s) is/are rejected. 7c) Claim(s) are subject to . 8c] Claim(s) are subject to restriction and/or election requirement.  Application Papers  9c  The specification is objected to by the Examiner.  10c  The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a), Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d), 11c) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(e)  1) Notice of References Cited (PTO-892)  3 Notice of Traftsperson's Patent Drawing Review (PTO-948)  3 Notice of Traftsperson's Patent Drawing Review (PTO-948)  5 Notice of Traftsperson's Patent Drawing Revie	3)□	☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is							
4) Claim(s) 1-8 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration.  5) Claim(s) is/are allowed. 6) Claim(s) 1 and 3-8 is/are rejected. 7) Claim(s) 2 is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) coepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(e) 1) Notice of References Cited (PTO-892) 1) Notice of References Cited (PTO-152)	closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.								
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5) □ Claim(s) is/are allowed. 6) ☒ Claim(s) 1 and 3-8 is/are rejected. 7) □ Claim(s) 2 is/are objected to. 8) □ Claim(s) are subject to restriction and/or election requirement.  Application Papers  9) □ The specification is objected to by the Examiner. 10) □ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) □ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) □ All b) □ Some * c) □ None of:  1. □ Certified copies of the priority documents have been received. 2. □ Certified copies of the priority documents have been received in Application No 3. □ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s) 1) ☑ Notice of Draftsperson's Patent Drawing Review (PTO-948) 20 □ Notice of Draftsperson's Patent Drawing Review (PTO-948) 30 □ Information Disclosure Statement(s) (PTO-152)	4)[∑	Claim(s) <u>1-8</u> is/are pending in the application.							
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Application Papers  9	·_	_ ` ` — ` `							
9   The specification is objected to by the Examiner.  10   The drawing(s) filed on is/are: a)   accepted or b)   objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11   The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12   Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a)   All   b)   Some * c)   None of:  1.   Certified copies of the priority documents have been received.  2.   Certified copies of the priority documents have been received in Application No  3.   Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  10   Notice of References Cited (PTO-892)  21   Notice of Draftsperson's Patent Drawing Review (PTO-948)  22   Notice of Draftsperson's Patent Drawing Review (PTO-948)  33   Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	8)∟	J Claim(s) are subject to restriction and/or	r election requirement.						
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a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  Attachment(	Priority	under 35 U.S.C. § 119							
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 4) Interview Summary (PTO-413) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152)	<ul> <li>a) All b) Some * c) None of:</li> <li>1. Certified copies of the priority documents have been received.</li> <li>2. Certified copies of the priority documents have been received in Application No</li> <li>3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</li> </ul>								
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#### **DETAILED ACTION**

#### Inventorship

In view of the papers filed July 28, 2003, it has been found that this nonprovisional application, as filed, through error and without deceptive intent, improperly set forth the inventorship, and accordingly, this application has been corrected in compliance with 37 CFR 1.48(c). The inventorship of this application has been changed by adding the inventor Isamu Mizuno.

The application will be forwarded to the Office of Initial Patent Examination (OIPE) for issuance of a corrected filing receipt, and correction of the file jacket and PTO PALM data to reflect the inventorship as corrected.

### Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1 and 3-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown et al (U.S. Patent No. 5,899,399) in view of Ono et al (U.S. Patent No. 5,794,877).

With respect to Claims 1 and 3-8, Brown et al, teach a seat belt retractor comprising a spool 114 held in a frame; a bearing 102 attached to a portion of said spool held by said frame; a clutch mechanism 270; a pretensioner 280. Brown et al teach all the elements of the retractor except for the spool being made of a light alloy. Ono et al, Figure 1, teach a spool 3 made of a light alloy. It would have been obvious to one of ordinary skill in the art to provide Brown et al

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with a spool made of a light alloy, as taught by Ono et al, for the purpose of minimizing the weight of the retractor.

# Allowable Subject Matter

Claim 2 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

## Response to Arguments

Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

#### Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William A Rivera whose telephone number is 703-308-2684. The examiner can normally be reached on Monday to Friday - 7:30 to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on 703-308-2688. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

WILLIAM A. RIVERA PRIMARY EXAMINER

June 14, 2004